

Wetlands Bureau Decision Report

Decisions Taken
02/21/2011 to 02/27/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2011-00265 SUNRAY SHORES IMPROVEMENT ASSOC BELMONT Tributary To Winnisquam Lake

Requested Action:

Install a 2 ft x 16 ft seasonal dock on frontage with 6 existing docks; two 2 ft x 20 ft seasonal docks, two 2 ft x 16 ft seasonal docks, and two 2 ft x 15 ft seasonal docks, within a dredged inlet and canal off Lake Winnisquam, in Belmont.

Conservation Commission/Staff Comments:

No Con Com comments by Feb 18, 2011

APPROVE PERMIT:

Install a 2 ft x 16 ft seasonal dock on frontage with 6 existing docks; two 2 ft x 20 ft seasonal docks, two 2 ft x 16 ft seasonal docks, and two 2 ft x 15 ft seasonal docks, within a dredged inlet and canal off Lake Winnisquam, in Belmont.

With Conditions:

1. All work shall be in accordance with plans by Steven Smith and Associates dated December 02, 2010, as received by the NH Department of Environmental Services (DES) on January 31, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the new pier shall extend more than 16 feet from the shoreline at full lake elevation.
6. The seasonal dock shall provide one slip to lot 18 and one slip to lot 19.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 236 feet of frontage along Lake Winnisquam.
3. Pursuant to Rule Env-Wt 402.16, (2), Marinas-Design Standards, the standard for marinas shall be one slip for every 25 ft of shoreline frontage, however, a greater number of slips may be allowed if the marina is enclosed by the land of the applicant.
4. The inlet and channels are completely enclosed by the land of the applicant and were constructed prior to the jurisdiction of DES for the express purpose of providing adequate dockage for the properties within the residential development surrounding the man-made waterways.
5. The docking facilities within this inlet will provide 14 slips as defined per RSA 482-A:2, VIII and are approvable pursuant to Rule Env-Wt 402.16.
6. Public hearing is waived with the finding that the project impacts will not impair the resources of Lake Winnisquam.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2009-02424 PALMER, PETER & SUSAN
LACONIA Lake Winnepesaukee

Requested Action:

Amend permit to permanently remove docks in boat basin and install a 6 ft x 40 ft seasonal dock and a 3 pile ice cluster.

Conservation Commission/Staff Comments:

No comments by Con Com by 12/08/2009

APPROVE AMENDMENT:

Amend permit to read: Permanently remove 2 cantilevered docks and abandon the use of the dug-in boat basin, install a 6 ft x 40 ft piling supported dock, and install a 3 pile ice cluster on an average of 149 feet of frontage on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 3, 2011, as received by the NH Department of Environmental Services (DES) on February 4, 2011.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. The docks within the dug in boat slip shall be permanently and completely removed prior to the construction of the piling supported docking structure.
5. There shall be no further maintenance of the dug-in boat basin as a boat slip or beach area.
6. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. This permit does not allow for maintenance dredging.
9. The dock shall not extend more than 40 ft lakeward at full lake elevation of 504.32.
10. The minimum clear spacing between piles shall be 12 feet.
11. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), installation of a docking structure which exceeds the minimum impact criteria.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 149 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-00237 FOUR B BEACH TRUST
RYE Atlantic Ocean

Requested Action:

Remove and regrade 5,940 sq. ft. of accumulated beach sand along 180 linear feet of a 240 linear foot seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the project.

APPROVE PERMIT:

Remove and regrade 5,940 sq. ft. of accumulated beach sand along 180 linear feet of a 240 linear foot seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage.

With Conditions:

1. All work shall be in accordance with 'Wetlands Permit Plan' dated October 22, 2010 by MSC, Inc. as received by the Department on January 26, 2011.
2. NH DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion each time work is done
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work authorized under this permit may be implemented annually.
5. Sand removed from the face of the seawall shall be regraded on the remaining dry sand area of the beach landward of mean high tide.
6. The sand removed from the face of the seawall shall be graded to match existing beach contours.
7. No sand shall be removed from the beach for disposal elsewhere.
9. Wood, seaweed, or other accumulated debris may be removed from the beach and disposed of outside of any area within DES Wetlands Bureau jurisdiction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2010-01340 OLSON, JOSHUA
FITZWILLIAM Laurel Lake

Requested Action:

Retain a 4 ft x 32 ft seasonal dock with a 4 ft x 8 ft seasonal dock in an "L" shaped configuration with 4 ft wide access stairs to the waterbody on an average of 145 ft of frontage on Laurel Lake, in Fitzwilliam.

APPROVE AFTER THE FACT:

Retain a 4 ft x 32 ft seasonal dock with a 4 ft x 8 ft seasonal dock in an "L" shaped configuration with 4 ft wide access stairs to the waterbody on an average of 145 ft of frontage on Laurel Lake, in Fitzwilliam.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants dated February 07, 2011, as received by the NH Department of Environmental Services (DES) on February 10, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of this docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 32 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 145 feet of shoreline frontage along Laurel Lake.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2010-01584 LED CONSTRUCTION LLC
BELMONT Unnamed Wetland

Requested Action:

Proposal to dredge and fill approximately 100 sq. ft. of wetlands to replace an existing 10 in. x 90 ft. culvert with two new culverts consisting of one 12 in. x approximately 80 ft. and one 18 in. x approximately 85 ft. HDPE culverts, associated concrete inlet box and headwalls for construction of an access road to a previously approved residential subdivision..

APPROVE PERMIT:

Dredge and fill approximately 100 sq. ft. of wetlands to replace an existing 10 in. x 90 ft. culvert with a 24 in. x approximately 90 ft. N12 HDPE culvert, with an associated concrete headwall and flared outlet for construction of an access road to a previously approved residential subdivision.

With Conditions:

1. All work shall be in accordance with plan sheet C2 by Fluett Engineering Associates, P.C. revision date of January 1, 2011, as received by the NH Department of Environmental Services (DES) January 28, 2010.
2. Work shall be done during low flow.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The crossing area was originally approved under DES Wetlands Bureau file # N-1026 on October 1, 1987. A culvert was installed but the crossing was never constructed as designed and the access road and subdivision was never built.
6. The new design includes an upgraded culvert crossing and stormwater treatment and detention design.

2011-00259 WAKEFIELD, TOWN OF
WAKEFIELD Tributary To Province Lake

Requested Action:

Retain 600 sq. ft. of fill in wetlands for the replacement of an existing 12 in. x 28 ft. culvert with a new 24 in. x 28 ft. culvert including installation of rip rap at the inlet and outlet of the culvert. Restoration of 265 sq. ft. of wetland is addressed under separate cover.

Inspection Date: 09/17/2009 by David A Price

Inspection Date: 11/25/2009 by David A Price

Inspection Date: 10/26/2010 by David A Price

APPROVE AFTER THE FACT:

Retain 600 sq. ft. of fill in wetlands for the replacement of an existing 12 in. x 28 ft. culvert with a new 24 in. x 28 ft. culvert including installation of rip rap at the inlet and outlet of the culvert. Restoration of 265 sq. ft. of wetland is addressed under separate cover.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated January 8, 2011, as received by the NH Department of Environmental Services (DES) on January 28, 2011.
2. This permit is contingent upon restoration of 265 sq. ft. of wetland addressed under separate cover.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of a non-docking structure such as a culvert.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert was deteriorated and needed to be replaced.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. On November 2, 2010, DES issued a Restoration Plan Approval to restore 265 sq. ft. of unauthorized wetland impacts including reducing the length of the new culvert from 40 ft. to 28 ft.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No species of special concern were identified within the vicinity of the project by NH Natural Heritage Bureau.

FORESTRY NOTIFICATION

2010-03082 RASO, ANTONIO/A MASTROIANNI
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Dorchester Tax Map 7, Lot# 383.6

2011-00386 TWITCHELL HEIRS, C/O TOM CARNEY
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Map R11, Lot# 28

2011-00387 KWIATKOWSKI, JOSEPH & IRENE
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map E, Lot# 23 & 24

2011-00388 PESMAN, GEERT/LOIS
WHITEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Whitefield Tax Map 216, Lot# 16

EXPEDITED MINIMUM

2010-02006 ISLEIB, DOUGLAS
GILMANTON IRON WORKS Crystal Lake

Requested Action:

Impact 208 sq ft to construct a 6 ft x 15 ft perched beach in the footprint of an abandoned structure and implement bio-stabilization methods on a section of destabilized bank on an average of 262 ft of frontage on Crystal Lake in Gilmanton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Impact 208 sq ft to construct a 6 ft x 15 ft perched beach in the footprint of an abandoned structure and implement bio-stabilization methods on a section of destabilized bank on an average of 262 ft of frontage on Crystal Lake in Gilmanton.

With Conditions:

1. All work shall be in accordance with plans by Richard D Bartlett & Associates, Inc. revised March 20, 2010, as received by the NH Department of Environmental Services (DES) on February 3, 2011.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 623.19). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), alteration of less than 50 linear ft of frontage on a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Applicant has met the criteria of Rule Env-Wq 1413, Waiver from Rules for a waiver of Rule Env-Wq 1405.05, Slope Limitation for Accessory Structures.

2010-03360 BIRCHWOOD KANASATKA LOT OWNERS ASSOCIATION
MOULTONBOROUGH Kanasatka Lake

Requested Action:

Proposal to dredge and fill approximately 1521 sq. ft. of wetlands and associated shoreline to replace a failed 12 in. x 65 ft. CMP culvert with a grass-lined swale and rip-rap outlet.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application.

APPROVE PERMIT:

Dredge and fill approximately 908 sq. ft. of wetlands and associated shoreline to replace a failed 12 in. x 65 ft. CMP culvert with a grass-lined swale and rip-rap outlet.

With Conditions:

1. All work shall be in accordance with plans by Joanne K. Coppinger, P.E. revision date February 3, 2011, as received by the NH Department of Environmental Services (DES) on February 7, 2011.
2. Work shall be done during drawdown or low flow and no work shall be conducted in the lake.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02 and Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project has been designed to preserve the existing vegetation outside of the area needed to construct the new swale.
6. DES discussed the project with the project engineer and suggested a grass-lined swale to replace the failed culvert in order to provide an area to reduce flow velocities and provide for stormwater treatment before entering the lake.
7. The applicant's engineer designed a grass-lined swale and stone outlet that will accommodate a 50-year storm event.
8. The project was discussed with DES Shoreland Protection Program staff and it was determined that the project as designed would not require an additional Shoreland Permit.

Requested Action:

Construct a 400 sq ft perched beach with 3 ft wide access stairs placed on the bank with no disturbance to the bank on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 400 sq ft perched beach with 3 ft wide access stairs placed on the bank with no disturbance to the bank on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated January 18, 2011, as received by the NH Department of Environmental Services (DES) on February 11, 2011.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

2011-00394 WOLFEBORO CORINTHIAN YACHT CLUB
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair a 13.5' x 130' pier connected to a 10' x 153' pier in a "T" configuration with six 1 ft 9 in x 20 ft finger piers and one 2 ft 10 in finger pier, repair a 14 ft x 160 ft 6 in pier with a 4' x 24' finger and 4' x 20' finger, repair an existing 5 ft 10 in x 20 ft piling supported pier, repair a 5 ft 10 in x 21 ft 6 in pier and an existing 9 ft 10 in x 35 ft 10 in pier with 22 ft x 27 ft canopy over the center slip, repair 105 linear feet of retaining wall, repair an existing boat ramp, repair an existing 47 ft lone wharf along the shoreline, repair an existing 32 ft x 27 ft bulkhead, along 320' of shoreline frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair a 13.5' x 130' pier connected to a 10' x 153' pier in a "T" configuration with six 1 ft 9 in x 20 ft finger piers and one 2 ft 10 in finger pier, repair a 14 ft x 160 ft 6 in pier with a 4' x 24' finger and 4' x 20' finger, repair an existing 5 ft 10 in x 20 ft piling supported pier, repair a 5 ft 10 in x 21 ft 6 in pier and an existing 9 ft 10 in x 35 ft 10 in pier with 22 ft x 27 ft canopy over the

center slip, repair 105 linear feet of retaining wall, repair an existing boat ramp, repair an existing 47 ft lone wharf along the shoreline, repair an existing 32 ft x 27 ft bulkhead, along 320' of shoreline frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated February 15, 2011, as received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

GOLD DREDGE

2011-00395 **RIAN, CARL**
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00397 **NEWLAND, RUSSELL**
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00398 **PERDUE, JONATHAN**
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc Bath ConCom

2011-00409 WRIGHT, DENNIS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

ROADWAY MAINTENANCE NOTIF

2011-00403 NH DEPT OF TRANSPORTATION
FRANCONIA Unnamed Stream

PERMIT BY NOTIFICATION

2011-00360 NH FISH & GAME DEPARTMENT
ERROL Askers Pond

Requested Action:
Impact 1,556 square feet for the repair and maintenance of an existing dam on Akers Pond.

PBN IS COMPLETE:
Impact 1,556 square feet for the repair and maintenance of an existing dam on Akers Pond.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(7) The maintenance, repair, or replacement of a nondocking structure that meets the criteria in Env-Wt 303.04(x)
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2011-00375 DUBE, THOMAS
WAKEFIELD Unnamed Wetland

Requested Action:
Dredge and fill 2,700 square feet of wetlands to install an 18" x 50' culvert to construct a driveway crossing to a single lot for recreational and forest management purposes and future house lot construction.

PBN IS COMPLETE:

Dredge and fill 2,700 square feet of wetlands to install an 18" x 50' culvert to construct a driveway crossing to a single lot for recreational and forest management purposes and future house lot construction.

CSPA PERMIT

2009-00523 CONTOOCOOK RIVER LOFTS LLC
EXETER Little River

Requested Action:

AMENDMENT DESCRIPTION: Impact 53,000 sq ft for the purpose of constructing 4 single-family dwellings with driveways. Lot 9,10 and 16 will have no more than 19 percent impervious area for each. Lot 17 will have no more than 21.2 percent impervious area.

Impact 53,000 sq ft for the purpose of constructing 4 single-family dwellings with driveways.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Impact 53,000 sq ft for the purpose of constructing 4 single-family dwellings with driveways. Lot 9,10 and 16 will have no more than 19 percent impervious area for each. Lot 17 will have no more than 21.2 percent impervious area.

Impact 53,000 sq ft for the purpose of constructing 4 single-family dwellings with driveways.

With Conditions:

1. All work shall be in accordance with plan sheet SP1 by Jones and Beach Engineers Inc. dated March 16, 2009 and received by the Department of Environmental Services ("DES") on March 26, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. Silt fencing must be removed once the area is stabilized.
13. Lot 9,10 and 16 will have no more than 19 percent impervious area for each and Lot 17 will have no more than 21.2 percent impervious area within the protected shoreland unless additional approval is obtained from DES.
14. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
15. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

16. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

17. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-01761 KELLY, JAMES/NINA
BARNSTEAD Halfmoon Lake

Requested Action:

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated February 22, 2011 and received by NH Department of Environmental Services (DES) on February 24, 2011. Move portion of structure 4 ft landward of reference line. Impervious area will increase 96 sq ft.

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated October 17, 2010 and received by NH Department of Environmental Services (DES) on October 18, 2010. Impact 4,810 sq ft in order to raze existing structure and construct a new structure, replace septic system and expand parking area.

Impact 4,575 sq ft for the reconstruction of existing house, retaining wall and septic system, adding fill, and expanding parking area.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated February 22, 2011 and received by NH Department of Environmental Services (DES) on February 24, 2011. Move portion of structure 4 ft landward of reference line. Impervious area will increase 96 sq ft.

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated October 17, 2010 and received by NH Department of Environmental Services (DES) on October 18, 2010. Impact 4,810 sq ft in order to raze existing structure and construct a new structure, replace septic system and expand parking area.

Impact 4,575 sq ft for the reconstruction of existing house, retaining wall and septic system, adding fill, and expanding parking area.

With Conditions:

1. All work shall be in accordance with plans by Frederick McGarry dated June 14, 2010 and received by the NH Department of Environmental Services (DES) on July 6, 2010.
2. All actions associated with the proposed 33 ft retaining wall are contingent on approval by the DES Wetlands Bureau, Wetlands Permit per RSA 482-A.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. No more than 11.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

Requested Action:

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated February 22, 2011 and received by NH Department of Environmental Services (DES) on February 24, 2011. Move portion of structure 4 ft landward of reference line. Impervious area

will increase 96 sq ft.

AMENDMENT DESCRIPTION: Revised plans by Frederick McGarry dated October 17, 2010 and received by NH Department of Environmental Services (DES) on October 18, 2010. Impact 4,810 sq ft in order to raze existing structure and construct a new structure, replace septic system and expand parking area.

Impact 4,575 sq ft for the reconstruction of existing house, retaining wall and septic system, adding fill, and expanding parking area.

With Conditions:

by Frederick McGarry dated June 14, 2010 and received by the NH Department of Environmental Services (DES) on July 6, 2010.

2. All actions associated with the proposed 33 ft retaining wall are contingent on approval by the DES Wetlands Bureau, Wetlands Permit per RSA 482-A.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. No more than 11.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00316 CLYDE POND HOLDINGS
PITTSBURG Middle Pond

Requested Action:

Impact 7,316 sq ft in order to construct a cabin with septic system and well.

APPROVE PERMIT:

Impact 7,316 sq ft in order to construct a cabin with septic system and well.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc. dated October 21, 2010 and received by the NH Department of Environmental Services (DES) on February 7, 2011.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 6,816 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,872 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00320 LANDMARK LAND SALES LLC
ACWORTH Cold River

Requested Action:

Impact 12,150 sq ft in order to construct three driveways on separate lots. Lot 13-1 driveway 1,411 sq ft, Lot 13-2 driveway 1,422 sq ft and Lot 14 driveway 3,262 sq ft.

APPROVE PERMIT:

Impact 12,150 sq ft in order to construct three driveways on separate lots. Lot 13-1 driveway 1,411 sq ft, Lot 13-2 driveway 1,422 sq ft and Lot 14 driveway 3,262 sq ft.

With Conditions:

1. All work shall be in accordance with plans by Landmark Land Surveying & permitting dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on February 7, 2011.
2. No more than 10.7% for Lot 13-1, 2.5% for Lot 13-2 and 5.6% for Lot 14 of the area of the lots within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 4,877 sq ft for Lot 13-1, the 4,354 sq ft for Lot 13-2, and the 3,788 sq ft for Lot 14 of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00338 DEAVILA, MATTHEW
MEREDITH Winnisquam Lake

Requested Action:

Impact 5,805 in order to expand deck, construct elevated footbridge, relocate garage and add septic system.

APPROVE PERMIT:

Impact 5,805 in order to expand deck, construct elevated footbridge, relocate garage and add septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 18, 2011 and received by the NH Department of Environmental Services (DES) on February 10, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,578 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00340 STOCKLEY, LORI
SANDWICH Red Hill River

Requested Action:

Impact 17,240 sq ft in order construct a residence with attached garage, walkway and install a septic system.

APPROVE PERMIT:

Impact 17,240 sq ft in order construct a residence with attached garage, walkway and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 27, 2011 and received by the NH Department of Environmental Services (DES) on February 10, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 4.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 38,873 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00348 YONKUNAS, DAWN/JOHN
MEREDITH Winnisquam Lake

Requested Action:

Impact approximately 435 square feet for the replacement of existing wooden access steps with stones steps, construction of 4 ft wide steps from existing deck to ground, construction of a retaining wall, and the installation of two lift anchors for use with proposed seasonal dock.

APPROVE PERMIT:

Impact approximately 435 square feet for the replacement of existing wooden access steps with stones steps, construction of 4 ft wide steps from existing deck to ground, construction of a retaining wall, and the installation of two lift anchors for use with proposed seasonal dock.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated January 14, 2011 and Revised February 16, 2011 and received by the NH Department of Environmental Services (DES) on February 11, 2011 and February 17, 2011.
2. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A. Specifically, the proposed docking structure(s) will require a separate permit from the NH DES Wetlands Bureau.
3. No more than 18.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6029 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00356 ADAM, ROBERT
TAMWORTH Swift River

Requested Action:

Impact 575 ft in order to replace a 115 ft culvert.

APPROVE PERMIT:

Impact 575 ft in order to replace a 115 ft culvert.

With Conditions:

1. All work shall be in accordance with plans by Paul L. King, LLS, PE dated January 1, 2011 and received by the NH Department of Environmental Services (DES) on February 14, 2011.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00357 VERONICA M GORSKI FAMILY TRUST & STANLEY J GORSKI,
OSSIPEE White Pond

Requested Action:

Impact 6,200 sq ft in order to regrade lawn in the waterfront buffer.

APPROVE PERMIT:

Impact 6,200 sq ft in order to regrade lawn in the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated January 18, 2011 and received by the NH Department of Environmental Services (DES) on February 14, 2011.
2. Depth of fill will not exceed 8 inches.
3. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,946 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00358 FONTANEZ, MAGDALENA
LITTLETON Ammonoosuc River

Requested Action:

Impact 4,150 sq ft in order to fill and grade area at a maximum 2:1 slope.

APPROVE PERMIT:

Impact 4,150 sq ft in order to fill and grade area at a maximum 2:1 slope.

With Conditions:

1. All work shall be in accordance with plans by Glenn A Lavoie, PE dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on February 14, 2011.
2. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00376 DEVANEY, SEAN
DERRY Rainbow Lake

Requested Action:

Impact 2,500 sq ft in order to construct a leachfield.

APPROVE PERMIT:

Impact 2,500 sq ft in order to construct a leachfield.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates, LLC dated July 20, 2008 and received by the NH Department of Environmental Services (DES) on February 16, 2011.
2. No more than 9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00383 QUIRK, DANIEL
RYE Atlantic Ocean

Requested Action:

Impact 290 sq ft in order to construct a fire pit.

APPROVE PERMIT:

Impact 290 sq ft in order to construct a fire pit.

With Conditions:

1. All work shall be in accordance with plans by Matt Gunn dated June 25, 2010 and received by the NH Department of Environmental Services (DES) on February 17, 2011.
2. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00385 DOLFI, ELIZABETH/SCOTT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 16,425 sq ft in order to remove existing residence and construct a new residence with driveway and septic system.

APPROVE PERMIT:

Impact 16,425 sq ft in order to remove existing residence and construct a new residence with driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 25, 2011 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 25.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,890 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-01750 HAYES, RICHARD
SALEM Arlington Pond

Requested Action:

Impact 8760 sq ft for the replacement of existing cottage with a year round house and associated septic system.

APPROVE PERMIT:

Impact 8760 sq ft for the replacement of existing cottage with a year round house and associated septic system.

WAIVER APPROVED: RSA 483-B:9,V,(b),(2),(A)(i) is waived to allow the percentage of area maintained in an unaltered state to be decreased below the minimum to allow the construction of a more nearly conforming structure and associated septic system.

With Conditions:

1. All work shall be in accordance with plans by Lavelle Associates dated January 24, 2011 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This approval includes a waiver of RSA 483-B:9, V (b)(2)(a)(i) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1860 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. Approximately 1046 sq ft of area will be revegetated and allowed to revert to a natural unaltered state. At least

2869 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the areas to be restored to an "unaltered state" and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restored area.

6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

8. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."

9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Arlington Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

3. The project as proposed would result in improved storm water treatment through reduced impervious area within the protected shoreland buffer and restoration of areas to remain in an unaltered state.

4. The project as proposed would result in the relocation of the primary structure to a point behind the 50 ft primary building setback.

5. The applicant has proposed to reduce the total area of impervious surfaces and restore areas to be maintained in an unaltered state to offset the proposed impacts, and relocate the primary structure to meet the primary building setback, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.